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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/782,550	02/18/2004	William Orlando	859063.558	5171
38106	7590	11/01/2005		
SEED INTELLECTUAL PROPERTY LAW GROUP PLLC 701 FIFTH AVENUE, SUITE 6300 SEATTLE, WA 98104-7092				
			EXAMINER STONE, JENNIFER A	
			ART UNIT 2636	PAPER NUMBER

DATE MAILED: 11/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

u/

Office Action Summary	Application No. 10/782,550	Applicant(s) ORLANDO ET AL.	
	Examiner Jennifer A. Stone	Art Unit 2636	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☒ Claim(s) 14-19 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on February 18, 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>February 18, 2004</u> . | 6) <input type="checkbox"/> Other: ____. |

Claim Objections

1. Claim 14 is objected to because of the following informalities: "an threshold", line 2 should be changed to "a threshold".
2. Claim 1 is objected to because of the following informalities: appropriate punctuation, such as a colon, should be located after "comprising", line 1. Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.
4. Claim 1, line 5; claim 5, line 2; claim 7, line 2; claim 8, line 4; claim 12, line 2; claim 13, lines 6, 13; recite the limitation "the content". There is insufficient antecedent basis for this limitation in the claims.
5. Claims 1, 5, 7, 8, 12, and 13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The term "content" is a very broad term and has multiple interpretations. Applicant is required to either omit the term or replace it with a more specific term.

Allowable Subject Matter

6. Claims 1-19 are allowed over prior art; however, in order for an allowance to be issued, applicant's reply must either comply with all formal requirements, as specified

above, or specifically traverse each requirement not complied with. See 37 CFR 1.111(b) and MPEP § 707.07(a).

7. The following is a statement of reasons for the indication of allowable subject matter: an integrated circuit, and a method of time measurement for activating an alert signal when a second counter reaches a second predetermined value such that the product of the second predetermined value by a second period is greater than the product of a first predetermined value by a first period.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Anil et al. (US 6,529,447) discloses a timing circuit that includes two internal oscillators and an internal counter.

Schaap et al. (US 4,222,037) discloses a cycle timer that includes two internal oscillators and two internal counters where either a visible or audible indicator is operated at the end of a second timing cycle.

Morokawa (US 4,337,529) discloses a timing device with two oscillators and a control circuit where an audible signal is emitted when a predetermined time interval has elapsed.

Hanaoka (US 4,396,904) discloses a timing device that includes an internal counter clocked by a clock signal having a nominal period provided by an external oscillator

Hanjani (US 6,157,265) discloses two internal clocks and internal and external oscillators that produce an output signal via an integrated circuit.

Kaizu et al. (US 6,252,826) discloses first and second oscillating sections for an internal timing clock. In addition, when a difference between time in a time counter and that in a dummy counter is larger than a specified value, an alarm is emitted indicating that a stepping control unit is defective.

Satou et al. (US 5,151,613) discloses a clock generating signal built into an integrated circuit which is capable of selecting either a CR oscillation circuit or a crystal oscillation circuit.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer A. Stone whose telephone number is (571) 272.2976. The examiner can normally be reached 8:00-4:30, M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Jeffery Hofsass can be reached at (571) 272.2981. The fax phone number for the organization where this application or proceeding is assigned is (571) 273.8300 for regular and after final communications.

Any inquiry of a general nature of relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272.2600.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

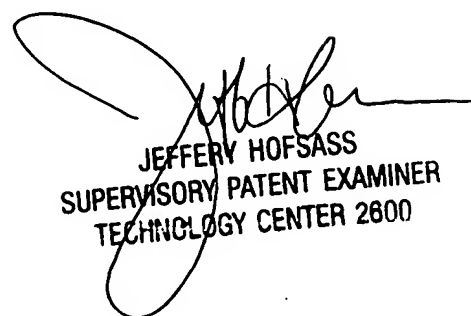
Art Unit: 2636

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Jennifer Stone
October 28, 2005



JEFFERY HOFSAAS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600